



PROTOCOL FOR THE PREVENTION, DETECTION AND ACTION IN CASES OF VIOLENCE, HARASSMENT AND DISCRIMINATION AT IQS

Safe Environment

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1	13.01.2025	Protocol	Merge the protocols listed in the Repeal Clause into a single document. Update it to align with the new legislation.

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1. INSTITUTIONAL COMMITMENT

Aware of the serious consequences that a situation of harassment or violence can have both for the person experiencing it and for the normal functioning of their environment, whether on a personal level (family, friends) or a social level (work colleagues, teachers, students, etc.), IQS establishes this protocol as a basic instrument for the prevention and eradication of any situation of harassment, violence or any other conduct that, without meeting the technical requirements of harassment, is considered inappropriate.

IQS wishes to underline its firm commitment to raising awareness, prevention, detection, care, assistance, advice, support, protection, action and sanctioning to advance the objective of eradicating gender-based violence and LGBTIphobia.

2. OBJECTIVE

The objective of this protocol is to regulate the actions and procedures that will allow:

- a) **to prevent, detect and act** upon situations of violence, harassment or any other conduct observed among all members of the IQS community (see point 3.1) and which, even if they do not meet the technical requirements for harassment, are considered inappropriate both within the IQS premises and in any areas where IQS is carrying out an activity.
Prevention will be carried out primarily through training, information and raising awareness on the issues of harassment, discrimination and violence, for all members of the IQS community.
- b) **Establish the necessary mechanisms** to identify, investigate, adopt precautionary measures, issue reports and propose solutions for situations of violence and harassment covered by this protocol; as well as to minimise their consequences in the academic environment and, in any case, ensure the protection of the victim's rights.
- c) **To establish a specific and swift procedure** for intervention, support, accompaniment and redress for the victim.

3. SCOPE OF APPLICATION

- 1) This protocol applies to all members of the **IQS community**:
 - a. all persons who are part of the IQS community, i.e., students, technical staff for Management and Administration of Services (PTGAS), academic staff (PDI) and personnel linked to research (PI),
 - b. external personnel carrying out tasks at IQS, such as those linked to research agreements or associate professors,
 - c. persons who, without any affiliation with IQS, carry out activities or provide services to IQS (on a temporary, permanent or transient basis); provided that one of the parties involved is a member of the IQS community. This category includes all subcontracted services, such as canteen services, cleaning services or maintenance services.
- 2) This protocol applies in all IQS spaces and in spaces where academic and/or research activities linked to the IQS sphere take place. This includes those that occur outside the IQS sphere, that is, outside of teaching hours or the premises (such as undertaking external placements, visits, university parties or other activities linked to university life, provided they are organised, coordinated or supervised by IQS academic bodies).
- 3) In the event that the alleged harassment, violence or discrimination occurs in the context of external placements managed by IQS, the student or the company where the student is undertaking the placement will inform the tutor, who will refer the case to the IQS Careers department for management in collaboration with the Safe Environment System Team (SES).
- 4) Companies hosting IQS students for placements must certify their adherence to the IQS Safe Environment System. To this end, it is recommended to include a Safe Environment System clause as a point in the placement agreement drawn up with the host company.
- 5) Likewise, companies providing services to IQS must also demonstrate their adherence to the IQS Safe Environment System. To this end, it is recommended to include a Safe Environment System clause as a point in the agreement/contract established with the service provider.
- 6) In the event that IQS becomes aware of an alleged case of violence or harassment occurring on its premises, involving one or more individuals from a company whose staff are providing services, IQS, through the department responsible for the contract, will require the company to adopt measures, without presuming guilt or liability, aimed at resolving the matter. The company must provide IQS with evidence that these measures have been adopted and that it adheres to the System.
- 7) In the event that the alleged case of violence or harassment occurs in digital environments, IQS will only have the authority to receive a complaint and investigate if it has occurred in an academic digital environment. Should it occur in a digital environment outside the academic scope, IQS will advise the person affected on the legal actions they can take. An academic environment is understood to be any environment created to address academic matters.

- 8) Conduct or actions not included in the definitions set out in section 4 are not covered by this protocol.
- 9) Any person within the scope of this protocol who believes they have been subjected to violence, harassment or discrimination within the IQS environment has the right to submit a complaint or report in accordance with this protocol, without prejudice to any criminal, employment, civil or administrative actions to which they may be entitled and which they may freely pursue.

4. DEFINITIONS

For the purposes of this protocol, the following definitions shall apply:

4.1 Harassment

- **Workplace harassment:** Any situation in which a worker or group of workers acts against a third party with the intention of causing harm, repeating aggressive conduct over time in a sustained manner to create a pattern of victimisation, without the harassment being on the grounds of sex or constituting sexual harassment.

These actions include behaviours of belittling and ridiculing, coercion, physical and verbal aggression, intimidating and threatening behaviour, social exclusion and ostracism, theft, blackmail, extortion and the deterioration of personal belongings. This type of conduct can extend to the digital sphere (cyberbullying).

In the case of workplace harassment, the most common forms are exclusionary behaviour and ostracism.

Annex I of this protocol contains a list of behaviours and attitudes that may be considered workplace bullying and another list of behaviours and attitudes that are not considered as such.

- **Bullying:** Any situation in which a student or group of students acts against a third party with the intention of causing harm, repeating aggressive behaviour over time in a sustained manner to create a pattern of victimisation, without the bullying being on the grounds of sex or constituting sexual harassment.

These actions include behaviours of belittling and ridiculing, coercion, physical and verbal aggression, intimidating and threatening behaviour, social exclusion and ostracism, theft, blackmail, extortion and damage to personal belongings. This type of conduct can extend to the digital sphere (cyberbullying).

Annex I of this protocol provides a list of behaviours and attitudes that may be considered school bullying, and another list of behaviours and attitudes that are not so considered.

— 1 Acts that, whilst not subjectively intended to subjugate the victim, compel them to maintain unwanted and (in a work context) unjustifiable contact with the perpetrator, should also be considered bullying. Examples of this are overprotective behaviour or unsolicited supervision that is not justifiable in the workplace, or insistent behaviour of offering unsolicited friendship. The intent to harm, the intent to subjugate, or even aggression, are subjectively absent in the harasser's case, but they nevertheless cause unwanted pain to the victim, who may feel powerless to put an end to the harasser's conduct.

- **Discriminatory harassment:** any conduct exercised on the grounds of birth, nationality, racial or ethnic origin, sex, religion, belief or opinion, age, disability, sexual orientation or identity, gender expression, illness or health condition, serological status or genetic predisposition to suffer illnesses and disorders, language, socioeconomic situation, or any other personal or social condition or circumstance, with the aim or consequence of infringing upon a person's dignity or that of a group they are part of, and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

Any adverse treatment or negative effect suffered by a person as a consequence of them making a complaint, report, claim or appeal of any kind, intended to prevent their discrimination and to enforce the effective application of the principle of equal treatment (anti-retaliation).

Annex I to this protocol contains a list of conduct and attitudes that may be considered discriminatory harassment.

- **Sexual harassment:** any verbal or physical conduct of a sexual nature that has the purpose or effect of violating a person's dignity, particularly when an intimidating, degrading or offensive environment is created (Organic Law 3/2007, for the effective equality of women and men).
- **Harassment on the grounds of sex:** any behaviour based on a person's sex which has the purpose or effect of violating their dignity and of creating an intimidating, degrading or offensive environment (Organic Law 3/2007, for the effective equality of women and men).
- **Harassment on the grounds of sexual orientation, gender identity or gender expression:** any behaviour based on a person's sexual orientation, gender identity or gender expression that has the purpose or effect of violating their dignity, their physical or psychological integrity, or of creating an intimidating, hostile, degrading, humiliating, offensive or harassing environment.

Annex II of this protocol sets out a list of behaviours and attitudes that may constitute sexual harassment, harassment on the grounds of sex, harassment on the grounds of sexual orientation, gender identity or gender expression.

4.2 Inappropriate conduct

- **Inappropriate conduct in the workplace:** behaviours of psychological violence that do not have the characteristics of repetition and prolongation over time (or in which there is no power asymmetry or capacity for influence) and cannot be conceptualised as workplace harassment, but which are reprehensible in themselves and which, if repeated, can lead to or give rise to bullying.

Annex I of this protocol lists the behaviours and attitudes that may be included in this category.

- **Inappropriate conduct in the academic sphere:** behaviours of psychological violence which do not have the characteristics of repetition and prolongation over time (or in which there is no asymmetry of power or capacity for influence) and cannot be conceptualised as harassment, but which are reprehensible in themselves and which, if repeated, may lead to or give rise to phenomena of harassment.
- **Inappropriate sexual or gender-based conduct:** non-consensual conduct not falling within the definitions of sexual harassment and harassment on the grounds of sex set out in this same section.

4.3 Violence

- **Sexual violence:** any non-consensual act of a sexual nature or one that conditions the free development of sexual life in any public or private sphere, including the digital sphere. In any case, the following offences are considered sexual violence under Title VIII of Book II of Organic Law 10/1995, of 23 November, on the Criminal Code (CC): female genital mutilation, forced marriage, sexual harassment and human trafficking for the purpose of sexual exploitation. Special attention will be paid to sexual violence committed in the digital sphere, which includes the dissemination of acts of sexual violence, non-consensual and child pornography in all cases, and sexual extortion through technological means (Article 3 of LO 10/2022, on the comprehensive guarantee of sexual freedom).
- **Sexual assault:** a sexual act carried out using violence, intimidation or abuse of a position of superiority or vulnerability of the victim, as well as those committed against people who are unconscious or whose mental state is abused, and those carried out when the victim's will is nullified for any reason (Article 178.2 of the Criminal Code).
- **Physical violence:** any act resulting in, or creating a risk of, physical injury or physical harm.
- **Psychological violence:** intentional conduct or omission that produces devaluation or suffering, through threats, humiliation, insults, demands for obedience or submission, coercion, insults, isolation or any limitation of freedom.
- **Digital violence and cyber-harassment:** a set of unacceptable behaviours and practices (or threats thereof) carried out through *Relationship Technologies, Information and*

Communication (ICT), which consist of intimidating, attacking, humiliating, defaming or blackmailing the victim, which manifest themselves on a one-off basis (occasional aggression) or repeatedly (harassment), and cause or are likely to cause personal or economic harm, and which are related to work according to articles 1. a) and 3. d) of ILO (International Labour Organization) Convention No. 190.

In this group, we refer to violence carried out through digital or technological devices common in our lives, such as services like WhatsApp, email, instant messaging (SMS), websites, tablets, blogs, forums, chats, social networks, mobile phones... We understand that there is sexual cyberbullying, bullying on the grounds of sex, sexual orientation, and gender identity and expression, when acts of digital violence and harassment occur through the technological means described and are directed against women, or on the basis of a person's sex, their sexual orientation, or their gender identity and expression.

Aggressive conduct of digital violence and cyber-harassment via technological and mobile devices can be carried out from any space or location and at any time. Therefore, it can take place inside and outside the IQS space, and during and outside academic or work hours; that is, it can be generated at any time and from anywhere, which is why a spatiotemporal blurring occurs.

Annex III provides a list of behaviours and attitudes that may constitute digital violence and cyber-harassment.

- **Secondary violence:** the physical or psychological violence, reprisals, humiliation and persecution exercised against people who support victims of misogynistic violence or against the LGTBIQ+ community, including acts that prevent the prevention, detection, the care and recovery of women experiencing gender-based violence or any other victim of discrimination or harassment.

The described conduct can occur between peers, from superiors to subordinates, or from subordinates to superiors, whether it is repeated or ongoing over time or a single act; a single act, that is, an occasional or one-off assault (sexual harassment), such that a single unlawful act is sufficient to consider it unacceptable and punishable.

5. SAFE ENVIRONMENT SYSTEM TEAM

The IQS Safe Environment System team is the team specialised in the Safe Environment and is responsible for implementing this protocol. It is made up of people from different areas of IQS and all of them have received training in the Safe Environment System.

Any of its members may receive complaints or reports which, if considered, they must forward to the Safe Environment Officer.

Its functions include providing information, guidance and advice on sexual harassment, gender-based violence and affective-sexual and gender diversity, raising awareness and creating visibility around the need to find solutions to social problems such as chauvinism or LGBTBIQ+ phobia.

The functions and responsibilities of this team also include:

- a) To promote a culture of respectful treatment and encourage good practices that foster a positive working environment at IQS.
- b) To provide information and guidance for the detection and prevention of situations of sexual harassment, harassment on the grounds of sex, sexual orientation, or gender expression or identity within the IQS environment.
- c) To provide training and raise awareness to prevent situations of misogynistic or LGBTBIQ+ phobic violence, as well as to avoid discriminatory social attitudes. To collaborate with professionals, other local, regional or national bodies or programmes with these same objectives.

6. BODIES INVOLVED

The bodies involved in the intervention process of this protocol are as follows:

- Safe Environment System Intervention Team
- Dean of the affected School
- Director of People & Organisation
- Psychological Support Service (PSS)

6.1 Safe Environment System Intervention Team

Within the Safe System Team, there is a team called the Safe System Intervention Team. It is composed of the Safe System Agent and one of its members, and they will be responsible for carrying out the intervention and action procedure for the cases covered by this protocol.

IQS ensures at all times that the members of the SES Intervention Team receive sufficient and appropriate training in the matters covered by this protocol.

The SES Intervention Team is not a sanctioning body, nor does it exercise disciplinary powers.

Its main functions are:

- a) Investigation of the facts stated in duly submitted complaints and reports of violence and harassment covered by this protocol. The actions must seek effective investigation, clarification of the facts, and an agile and swift response, and must always protect and respect the privacy and dignity of the individuals involved in the complaint or report.
- b) Protection: The Intervention Team will ensure the adequate protection of the alleged victim with regard to their safety and health, taking into account the possible physical and psychological consequences of the situation, and shall propose the preventive and organisational measures it deems appropriate.
- c) Preparation of a report or opinion on the investigated case, with a proposal for dismissal or closure of the case, for diversion, or for referral to the appropriate competent authority. Where applicable, it shall propose the referral of the reported facts and actions taken to the criminal or employment court.

6.2 Dean of the affected School

The Dean is the competent authority for resolving cases affecting the students of the relevant School.

6.3 Director of People & Organisation

The Director of People & Organisation is the competent authority for resolving cases affecting staff.

6.4 Psychological Support Service (SAP)

IQS has an external psychological support service available to the entire IQS community. [Psychological Support Service | IQS \(url.edu\)](https://www.iqs.url.edu/psa)

Specifically, the SES Intervention Team provides the parties involved (the complainant and the respondent) with guidance, support and/or psychological assistance through the SAP.

7. GENERAL PRINCIPLES AND GUARANTEES OF ACTION

All actions must guarantee the principles set out below:

Respect for and protection of the dignity of the persons concerned

All actions carried out in the investigation and verification of the reported facts must be conducted with the necessary discretion to protect the privacy and dignity of the persons concerned. Throughout the entire process, the persons involved may be accompanied and advised by people of their trust.

Confidentiality

The people responsible for investigating and verifying the reported incidents, and those involved in the actions arising from this protocol, must respect the principle of confidentiality and the duty of discretion. To this end, they are prohibited from disclosing any information about the content of the reports of which they are aware.

In order to preserve confidentiality, from the moment the complaint is received, the SES Intervention Team will, as far as possible, assign identifying numerical codes to the person alleged to have been bullied and the person alleged to be the bully to protect their identity.

No re-victimisation

Whenever possible, attempts should be made to reduce the number of statements from the person making the complaint to avoid the victim having to repeat the same information to other officials handling the protocol. An exception will only be made if it is strictly necessary for the proper conduct of the procedure.

Support and intervention by trained personnel

IQS has the Safe Environment System Team, composed of people who are qualified and sufficiently trained in equality, gender and prevention of alleged cases of violence and harassment.

Likewise, IQS has a Psychological Support Service (SAP) with staff trained to provide guidance, support and/or psychological assistance to the parties involved.

Due diligence and promptness

The investigation and resolution of the case will be carried out with due diligence and celerity; avoiding unjustified delays, so that the procedure can be completed in the shortest possible time and while respecting all other guarantees.

Impartiality and fair treatment

The procedure must guarantee the right to defence and a fair hearing, and ensure fair treatment for all parties involved. All persons involved in the procedure must act in good faith, cooperating at all times in clarifying the reported facts.

Protection against possible reprisals

All persons involved in the procedure shall be guaranteed against discrimination or retaliation for participating in the communication or reporting of a situation of violence or harassment. IQS will sanction any retaliation, coercion, intimidating conduct or attitude towards the persons involved during and after the process.

The SES Intervention Team, as the body responsible for the procedure, may request all necessary information to ascertain and/or document the existence of such retaliation.

Duty to cooperate

All persons mentioned during the course of this procedure have a duty to participate and to provide the necessary cooperation to the SES Intervention Team.

Data Protection

The processing of data used throughout the procedure is governed by Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, the General Data Protection Regulation (GDPR), and by Organic Law 3/2018, of 5 December, on the Protection of Personal Data and Guarantee of Digital Rights (LOPDP).

IQS will adopt the appropriate measures to protect personal data concerning the individuals involved in the procedure, primarily the complainant and the accused.

Personal data relating to victims of workplace harassment are, in general, considered special categories of personal data and, in any case, are sensitive data that require enhanced protection (AEPD Report 149-2019).

IQS will have to inform the person being harassed and the alleged harasser about the processing of data and about the exercise of the rights of access, rectification, objection and erasure.

8. INTERVENTION PROCEDURE

8.1 Rights of the persons involved

The rights of the **complainants** are:

- a) To be summoned and heard without being re-victimised.
- b) To be accompanied by a trusted person or by professional assistance and/or an interpreter, where appropriate.
- c) To receive information about the protective measures adopted.
- e) Receive psychological and legal support, as well as other accompanying measures provided by the SES Intervention Team and the Psychological Support Service, even when legal proceedings must be initiated. Support from IQS does not include legal representation for the complainants.
- d) To receive information on the status of the proceedings and the final resolution (dismissal or archiving of the case, or referral to the relevant competent authority).

The rights of the **person(s) being denounced** are:

- a) To be informed of the complaint or allegation and to be duly summoned and heard.
- b) To have the presumption of innocence respected.
- c) To be accompanied by a trusted person or by a professional assistant and/or an interpreter, where appropriate.
- e) To be notified of the final resolution of the proceedings (dismissal or closure of the case; referral to the appropriate competent authority, where applicable).

8.2 Persons entitled to submit a complaint or report

The following are considered to have standing, for the purposes of submitting a complaint or report regulated by this protocol:

- Members of the IQS community who consider themselves to be victims of conduct constituting violence, harassment or discrimination as provided for in this protocol, in section 4.
- Members of the IQS community who become aware of the perpetration of conduct constituting violence, harassment or discrimination covered by this protocol. In this case, the body receiving the complaint must obtain the written consent of the person allegedly subjected to the harassment in order to proceed with the procedure.

Staff with hierarchical responsibility (management personnel) are obliged to exercise their managerial and organisational authority in the face of suspected cases of violence,

harassment or any inappropriate conduct covered by this protocol, of which they have indications that they may have been committed by staff under their supervision and/or that may affect their teams.

8.3 Place and method for submitting a complaint or report

The complaint or report must be submitted via email to entornoseguro@iqs.url.edu/entornosegur@iqs.url.edu. This email is managed exclusively by the Safe Environment Officer, who will contact the person making the report within a maximum of 24 hours.

Should any complaint or allegation be received by any other person at IQS, they must forward it to the Safe Environment Agent.

If the complainant does not give their consent to contact the respondent, the procedure cannot be initiated. However, prevention, risk mitigation, and psychological and legal support measures for the victim or affected person must be initiated. These will be provided by the SES Intervention Team and the SAP (Psychological Support Service) staff.

Likewise, anonymous complaints may be investigated, but if after the investigation the person concerned does not wish to initiate proceedings, the case will be closed.

In the event that the complaint affects any of the bodies involved and mentioned in section 6:

- Safe Environment System Intervention Team
- Dean of the affected School
- Director of People & Organisation
- Psychological Support Service (SAP)

the complaint must be submitted to the IQS General Management.

8.4 Phase I: Commencement of the procedure

The procedure is initiated upon receipt of the complaint or report by the Safe Environment Officer via the channel described in point 8.3.

Within a maximum of 48 hours, the SES Intervention Team will contact the complainant, inviting them to an interview to clarify the facts of the complaint or allegation.

The person making the report has the right to be accompanied to their interview by another person of their choice or by a professional they deem appropriate. At the time of the statement, or at a later stage, they may provide any evidence or documents they consider appropriate.

The SES Intervention Team, based on the facts reported, will proceed with any of the following actions, and always with the prior consent of the person making the report:

- a) Adoption of preventive measures. The preventive measures adopted must not result in prejudice or a substantial modification of the academic status of those involved in the case of students, and employment status in the case of a worker. Preventive measures may be requested and/or adopted at any point during the procedure.

In the case of a student, the preventative measures may consist of: changes to study groups, changes of class, or notifying the student's academic supervisor(s) so that they are aware of the situation and can act as a direct point of contact for the student.

- b) Offer of psychological support. The SES Intervention Team will make counselling, support and/or psychological assistance available to the complainant through the Psychological Support Service (SAP).
- c) Creation of a support network. The SES Intervention Team, together with the person making the complaint, will select people they trust to establish a support network whose main function will be to accompany the person making the complaint to prevent harassment or, if this is not possible, to witness what has happened.
- d) Clarification of the facts with witnesses. The SES Intervention Team will ask the complainant for any potential witnesses to be interviewed, provided the complainant gives their consent. The SES Intervention Team may summon other witnesses if it considers that their testimony could clarify and verify the facts being reported. Witnesses may also be accompanied by another trusted person or trusted expert(s) if they so require. At the time of their statement, or at a later stage, they may provide any evidence or documents they deem appropriate.

8.5 Phase II. Conduct of the procedure

The SES Intervention Team will initiate the investigation process, during which it will conduct interviews with witnesses, if any, or with individuals provided by the complainant or others it considers necessary to clarify the alleged facts. All members of the IQS community have a duty to cooperate in clarifying the facts.

The complainant must provide indications or evidence proving the situation of violence, harassment and/or discrimination, and it is for the respondent to prove its absence.

If, during the procedure, the SES Intervention Team detects indications that a criminal offence may have been committed, it will inform the competent body to report it to the relevant authorities.

Once the investigation is complete, the SES Intervention Team will prepare a report, which will be submitted to the competent body for the resolution of the case:

- If the case involves staff, the report will be addressed to the Director of People & Organisation.
- If the case is between students, the report will be addressed to the Dean of the School to which the students involved belong.
- If the case involves a member of staff and a student, the report will be addressed to the Director of People & Organisation and the Dean of the relevant School.

The conclusion of the SES Intervention Team report may be:

- Finding of harassment: To find that harassment has occurred, proposing appropriate measures which may include the opening of disciplinary proceedings and/or reporting the incident to the relevant Civil Authorities.
- Absence of harassment: Declaring the non-existence of harassment. In this case, the closure of the file will be proposed, without prejudice to the implementation of any improvement measures deemed appropriate and the opening of disciplinary proceedings in cases of bad faith and/or false denunciation.
- Inappropriate conduct and/or conflict situations. To declare the existence of "inappropriate conduct", proposing the appropriate preventive, corrective or disciplinary measures.

Should the competent authority decide to initiate disciplinary proceedings, and once the instructor for the disciplinary case has been appointed, the SES Intervention Team will immediately forward the investigation report and all documentation relating to the investigative activity carried out during the investigation procedure to them.

8.6 Phase III. Resolution of the proceedings

The Competent Body shall resolve the case within a maximum of 30 working days.

Once the validity of the complaint has been confirmed, the Competent Body will proceed with the measures proposed by the SES Intervention Team or may introduce new ones. If further clarification is required, it will instruct the SES Intervention Team to proceed.

The proceedings will not be valid if the person being investigated is not given an opportunity to be heard. If the complainant does not consent to the person being investigated being given an opportunity to be heard, the proceedings will be frozen. In this case, the preventative measures will be maintained and the SES Intervention Team will offer support to the complainant.

The competent authority shall grant the person being reported a hearing, informing them of the reason for the report.

Once the decision has been communicated by the competent authority, a 7-working-day period for submissions will be opened for the parties involved.

The Competent Body will resolve the case within a maximum of 30 working days, notifying its decision to the parties involved.

Should the competent body decide not to proceed with the complaint, against the complainant's will, the option to appeal to [the IQS Whistleblowing Channel](#) or to the IQS Compliance Officer will be available.

9. INFORMATION AND DISSEMINATION OF THE PROTOCOL

Once this Protocol has been approved, it will be disseminated to the IQS community by publishing it on the IQS website, on the IQS campus, and through any other media channels deemed appropriate.

10. REVIEW, MONITORING AND EVALUATION OF THE PROTOCOL

This Protocol may be reviewed on the proposal of the Safe Environment System Team, the IQS General Management, the Deans, the Director of People & Organisation, or any of the bodies that deem it appropriate.

Annually, the Safe Environment Officer will submit a report to the IQS Management Board. The report must reflect the number of cases recorded, their nature, the measures taken, and whether any updates or improvements to the protocol should be proposed. In any case, a minimum review period of three years is established for the protocol, without prejudice to the approval of a new Equality Plan at IQS or the enactment of new laws that may necessitate a review of the protocol.

Additionally, the Safe Environment Agent will send an annual report to the Safe Environment Officer of the Society of Jesus, with the information they deem necessary.

11. AWARENESS-RAISING AND PREVENTION MEASURES

IQS, conscious of the importance of prevention and awareness, designs and establishes the necessary measures to inform, educate, raise awareness and train its entire community on prevention, detection, and how to act in situations of violence, harassment and discrimination covered by this protocol.

To this end, IQS will periodically adopt the following measures:

- a) Organisation of specific awareness-raising campaigns aimed at all IQS communities.
- b) Periodic training sessions for academic and professional staff, in accordance with this Protocol and the IQS Equality Plan.
- c) Holding information sessions for students to publicise the Safe Environment System, the procedure for making complaints regarding any type of harassment covered by this Protocol, and the regulations that protect them under this Protocol and the IQS Student Disciplinary Regulations.

12. REPEALING PROVISION

The following protocols are repealed:

- Protocol for the PREVENTION, VERIFICATION AND INTERVENTION IN CASES OF SEXUAL HARASSMENT, approved by the Board of Directors at its meeting on 10 January 2022.
- Protocol for the PREVENTION AND HANDLING OF CASES OF MOBBING OR WORKPLACE HARASSMENT, approved by the Board of Directors at its meeting on 10 January 2022.
- Protocol for the PREVENTION, ASSESSMENT AND INTERVENTION IN POSSIBLE CASES OF HARASSMENT BETWEEN STUDENTS/BULLYING, approved by the Board of Directors at its meeting on 10 January 2022.

13. Annex I: Non-exhaustive list of conduct and attitudes falling within the concepts of harassment for the purposes of applying this protocol

13.1 Workplace harassment

Harassment through organisational measures

- Continuously leaving a person without effective work.
- Issuing orders that are impossible to fulfil with the resources provided.
- Assigning a person useless, degrading or unproductive tasks.
- Retaliation against workers who have raised complaints, grievances or legal claims.
- Assigning a person tasks that are far below their abilities.

Harassment through social interactions

- Continuously isolating a person from communication without any justification.
- Treating a person as if they do not exist.

Humiliating treatment and attacks

- Insulting, mocking or belittling a person.
- Reproaching a person repeatedly in front of others.
- Offensively criticising a person's work performance.
- Spreading false rumours about their work or private life.
- Subjecting a person to humiliation, mockery or belittling.
- Suggesting that a person has psychological problems.
- Mocking political or religious attitudes and beliefs.

13.2 Bullying

The following acts are considered bullying:

Abusive treatment and attacks

- Insults, mockery, derogatory nicknames or offensive comments directed at a student repeatedly.
- Hitting, pushing, kicking or any other form of physical aggression towards a student.
- Intimidation, threats, emotional blackmail or any other form of manipulation that affects a student's mental and emotional health.

Through social relationships

- Deliberate exclusion of a student from group activities, malicious rumours or manipulation of social relationships to isolate the victim.

Through social media

- Use of social media, text messages or emails to send offensive, threatening or humiliating messages to a student.

13.3 Discriminatory harassment

Actions involving direct or indirect discrimination, being unfavourable on the grounds of age or disability, or unfavourable or adverse in relation to remuneration, hours, training, promotion and the other terms and conditions of employment.

Discrimination on grounds of origin, including racial or ethnic origin, marital status, social condition, religion or beliefs, or political opinions.

Likewise, in accordance with **Organic Law 15/2022 of 12 July, on the integral equality of treatment and non-discrimination**, the grounds for discrimination are expanded, with the following being considered grounds for discrimination, among others: birth, racial or ethnic origin, sex, religion, belief or opinion, age, disability, sexual orientation or identity, gender expression, illness or health condition, serological status or genetic predisposition to illness and disorders, language, socioeconomic situation, or any other personal or social condition or circumstance.

The following are not considered workplace harassment for the purposes of this protocol:

- A single, isolated violent incident (not ongoing).
- Organisational actions affecting the collective.
- Legitimate pressure to enforce what is agreed or existing rules.
- A conflict.
- Constructive and justified criticism.
- Supervision and control, as well as the exercise of authority, always with due interpersonal respect, and exercised in a proportionate manner.
- Arbitrary or excessively authoritarian behaviour within the group, in general.
- An authoritarian leadership style on the part of superiors.
- Poor organisation of work.
- Lack of communication.

These situations, although not in themselves constituting conduct amounting to workplace harassment, should be addressed, where appropriate, by **People & Organisation Management**, and, where applicable, within the **IQS disciplinary framework**.

14. Annex II. Non-exhaustive list of conduct and attitudes falling within the concepts of sexual harassment, harassment on the grounds of sex, harassment on the grounds of sexual orientation, harassment on the grounds of gender expression or gender identity for the purposes of applying this protocol

14.1 Sexual harassment

The following conduct, among others, and in general, may constitute sexual harassment:

- Deliberate, unwelcome physical contact, such as touching, rubbing, hitting or pinching.
- Leering or suggestive and demeaning comments about appearance.
- Uncomfortable sexual looks or gestures.
- Sexually suggestive jokes directed at a person.

By way of example (and not by way of an exhaustive list), the following situations may indicate the existence of sexual harassment:

Verbal sexual harassment

- Spreading rumours, asking about or discussing a person's sex life and sexual preferences.
- Making obscene sexual comments or jokes.
- Making lewd comments about the body or physical appearance.
- Offering or pressuring someone to go on awkward dates or to take part in unwanted leisure activities.
- Making demands for sexual favours.

Non-verbal sexual harassment

- Lascivious glances at the body.
- Obscene gestures.
- Use of sexually explicit graphics, cartoons, drawings, photographs or images from the internet.
- Offensive sexual content emails, letters, notes or messages sent by any means, including digital.
- Recording, broadcasting or publishing information, videos and images related to a person's sexual life via digital media.

Physical sexual harassment

- Excessive physical proximity.
- Cornering, deliberately seeking to be alone with the person unnecessarily.
- Deliberate and unsolicited physical contact (pinching, touching, unwanted massages).
- Intentionally or 'accidentally' touching the genitals.

Sexual blackmail, also known as sexual quid pro quo harassment. The harasser must hold a position of hierarchical authority, or their decisions may affect the victim's employment or study conditions. The following behaviours, among others, may constitute sexual harassment through sexual blackmail or quid pro quo:

- Offering or implying that some kind of reward will be received for submitting to certain sexual demands.
- Offering or implying that some form of reprisal will be taken if you do not agree to comply with certain sexual demands.

14.2 Sex-based harassment

Sex-based harassment relates to a person's sex. Situations that may be considered sex-based harassment include acts of a degrading nature:

- Of a female employee because she is a woman.
- Of a female worker for being pregnant or because of her motherhood.
- Of a worker on the grounds of their gender (because they do not perform the role culturally attributed to their sex) or for exercising a right to work intended to reconcile personal and work life.
- Of a female worker who is ridiculed, whose abilities, skills and intellectual potential are belittled on the grounds of her sex, or whose contributions, comments or actions are ignored on the grounds of her sex.

Examples of this type of harassment include the following:

Verbal sexist harassment

- Assigning a person meaningless or impossible tasks (unrealistic deadlines) based on their sex.
- Assigning a person to a job with responsibilities below their ability or professional level, solely because of their sex.
- Ignoring contributions, comments or actions (excluding them, not taking them seriously).
- Using sexist humour.
- Mocking or belittling the abilities, skills and intellectual potential of people because of their sex.
- Mocking people who take on tasks traditionally performed by the other sex.
- Denying a person permissions to which they are entitled, arbitrarily and on the basis of their sex.
- Disparaging the work done by people of a particular sex.
- Using denigrating forms of address for people of a particular sex.

Non-verbal sexist harassment

- Using gestures that create an intimidating atmosphere.
- Sabotaging work or deliberately preventing access to the appropriate means to carry it out (information, documents, equipment).
- Engaging in discriminatory behaviour on the grounds of being a woman or a man.

Physical sexist harassment

- Forcing unwanted physical proximity.
- Cornering someone, deliberately seeking to be alone with them unnecessarily in order to intimidate them.
- Making excessive physical advances.
- Using physical force to demonstrate the superiority of one sex over another.

Harassment on the basis of sexual orientation

- Engaging in discriminatory behaviour towards a person because of their sexual orientation.
- Addressing a person in an offensive manner.
- Mocking a person in relation to their sexual orientation.
- Using homophobic, lesbophobic or biphobic humour.
- To belittle the work that has been done because of its sexual orientation.
- Ignore contributions, comments or actions (excluding, not taking seriously).
- Unequal treatment based on homosexuality or bisexuality.

14.3 Harassment based on gender expression or identity

Examples of this type of harassment include the following:

- Refusing to use the name a trans person requests or deliberately using incorrect articles or pronouns for their gender identity.
- Ejecting or questioning people with non-normative gender expressions or identities for being in a particular toilet/changing room.
- Disparaging a person's abilities, skills and intellectual potential in relation to their gender expression or identity.
- Using transphobic humour.
- Ignoring or excluding contributions, comments or actions because of their gender expression or identity.

15. Annex III. Non-exhaustive list of behaviours and attitudes falling under the concepts of digital violence and cyberbullying for the purposes of this protocol

15.1 Digital violence and cyberbullying

The general scope of digital violence and cyber-harassment is very broad. It is difficult to compile a definitive and exhaustive list of all digital violence behaviours that occur. Furthermore, the very rapid development of ICT (Information and Communication Technologies) means that, from time to time, bullies find new ways to intimidate and harass people online.

Among the most common or frequent practices, we can mention the following:

Spreading images of a sexual nature or intimate data of the victim on the internet

Typically, this involves posting a compromising image—real or manipulated—or sensitive and intimate data that could harm or embarrass the victim, and making it known to their personal or professional circle.

A very common method is the dissemination of intimate images without the victim's consent. This is known as porn revenge or revenge porn, and it consists of publishing intimate or sexual photographs or videos of an ex-partner (or other people) after the relationship has ended.

The photographs or videos (of an intimate or sexual nature) can be used to extort or blackmail the person featured in them. These are known as '*sexting*' cases.

Ridiculing or stigmatising the victim on websites

Another common illicit practice is to register the victim on an internet website or space where they can be stigmatised and ridiculed as a person. These are typical cases of sexual or sexist cyberbullying, as the victim is sometimes ridiculed simply for being a woman, for her physical attributes, and for gender stereotypes.

An example would be a website where certain qualities of the person are chosen (for their intelligence, attractiveness, physical appearance, etc.), and visitors to the site can award them the maximum number of votes or points.

Creating a fake profile in the victim's name with sexual demands

Creating a fake profile that shares intimate content, makes explicit sexual offers, etc., as well as creating a fake dating page or placing adverts on dating websites. With the entry into force of **Organic Law 10/2022, on the integral guarantee of sexual freedom**, a new offence of using another person's image without consent for a social media profile, advertisements, or

any means of public dissemination to cause them a situation of harassment, chastisement or humiliation (article 172 ter, section 5) is introduced.

Usurping the victim's identity and -in their name and from anonymity- making offensive comments.

The behaviour involves usurping the victim's identity and, in their name and from anonymity, making offensive comments or inappropriate posts in chats, on social networks or other digital platforms, in such a way as to provoke adverse reactions towards the person who is actually the victim. In these cases, the victim's identity is left completely in doubt. The cyberbully posts opinions or comments online in the victim's name in order to insult or discredit them. This is known as '*fraping*' when the bully uses another person's social media accounts to post inappropriate content in their name, for example, posting racial or homophobic slurs on someone else's profile to ruin their personal image or reputation.

Accessing the victim's technological devices

This involves intruding on the victim's personal or work computer or any other digital device (tablet, mobile phone, hard drive, etc.). All messages, documents and information belonging to the device's owner are accessed. Accessing files and posting the device owner's private documents and photos online.

Overall, this method can involve the theft of photos, videos, audio files, personal data, passwords, files, contacts of the victim's circle and their family, etc.

This intrusion can also occur remotely, through commercially available software that allows access to third-party smart devices without the owner's consent. In this case, the perpetrator can access a wealth of information about the victim which they can use to exert control: location, browser history, text messages, social media and chats, images and videos, among other things.

Pressure to act in accordance with the digital harasser's requests

These are actions of constant pressure through ICT (Information and Communication Technologies) to act in accordance with the demands of the aggressor – partner, boss, client, a third party external to the organisation, etc. For example, sending messages insistently asking to maintain a relationship, or applying pressure to perform sexual acts in exchange for obtaining a particular job or career advancement.

Harassing through silent phone calls, or with threats, insults, intimidating language, repeatedly hanging up when the person answers, calling at inconvenient or unsociable hours, such as in the early hours of the morning.

The extensive capabilities offered by modern mobile phones have been perversely exploited by cyber-stalkers. The most traditional method is hidden phone calls made at inconvenient times. These can range from silent calls to serious threats, including insults, shouting or intimidating messages.

Making offensive comments, opinions and insulting or threatening statements on social media

This is one of the most common practices on the internet and has resulted in numerous court rulings. It essentially consists of sending offensive and scathing messages via email, SMS, WhatsApp, social media or the internet in general, which the victim, colleagues and even third parties outside the company or organisation regularly use.

It usually involves repeated conduct of harassment or stalking, with the sending of offensive, crude and insulting messages and cyber-stalking. This includes threats of harm or intimidation that cause the person to fear for their safety.

An open-ended, catalogue-style list of some of the attitudes or behaviours of these types of cyberviolence, in their various forms, may include:

- Repeated threats, comments, insults or verbal abuse via the internet (websites, social media, instant messaging apps, email, video games...).
- Sending any unwanted content that is considered offensive, humiliating, degrading or intimidating, with threats and hate speech online.
- Accessing another person's email account or social media account to send or post compromising material about them, manipulating and usurping their identity, and impersonating them on various online platforms.
- Posting provocative, offensive or out-of-place sexist messages with gender-based insults on internet forums and social media in order to sabotage something or someone.
- Distributing or publishing photos or videos (usually of an intimate or sexual nature) on the internet without the consent of the person concerned, or with the aim of blackmailing or extorting them (sexting).
- Dissemination of false images and receipt of unsolicited explicit sexual content.
- Registering a person on a website with the aim of stigmatising or ridiculing them.
- Creating social media groups or forums dedicated exclusively to attacking a person.
- Hijacking of credentials, passwords, accounts, photographs or other private documents.
- Data disclosure, consisting of searching for, collecting and publicly sharing personally identifiable information, including personal and sensitive data such as home address, photographs, and the names of the victim and their family members.
- Spreading defamatory and false rumours that can damage a person's image or are intended to attack them.
- Sending denigrating images or videos, stalking victims through various means or using spyware (voyeurism or digital espionage), spying on other people's mobile phones or any other devices, sending computer viruses...
- Spreading information about another person in a derogatory and false manner through an advert on a website or by creating a fake profile to make sexual demands or offers.
- Sending emails, instant messages or digitally altered photographs of a person.
- Controlling the victim's entire activity on social networks or on various websites.
- Prohibiting the victim from using various social networks or cyber tools, or from publishing certain content on the internet.
- Harassing and embarrassing the victim, stalking them across all websites or online platforms they visit or frequent.
- Making publicly offensive comments about the victim's gender or about a particular person or group.

16. Annex IV Regulatory Framework

The regulatory framework of this Protocol is constituted by rules of different rank and nature, among which the following stand out:

- a) Spanish Constitution, which recognises as fundamental rights the dignity of the person, the inviolable rights inherent to them, the free development of personality (art. 10.1), equality and non-discrimination on the grounds of sex (art. 14), the right to life and to physical and moral integrity, as well as not to be subjected to degrading treatment (art. 15) and the right to honour, to personal and family privacy and to one's own image (art. 18.1).
- b) Organic Law 1/2004, of 28 December, on comprehensive measures to protect against gender-based violence.
- c) Law 3/2007, of 15 March, regulating the rectification of the registered mention of the sex of persons.
- d) Organic Law 3/2007, of 22 March, on the effective equality of women and men.
Article 7, according to which "Sex-based harassment is any behaviour based on a person's sex, with the purpose or effect of violating their dignity and of creating an intimidating, degrading or offensive environment"
- e) Organic Law 4/2007, of 12 April, amending Organic Law 6/2001, of 21 December, on Universities.
- f) Law 17/2015, of 21 July, on the effective equality of women and men.
- g) Organic Law 3/2018, of 5 December, on the protection of personal data and guarantee of digital rights.
- h) Law 3/2022, of 24 February, on University Coexistence.
- i) Law 15/2022, of 12 July, integral for the equality of treatment and non-discrimination.
- j) Organic Law 10/2022, of 6 September, on the integral guarantee of sexual freedom.
- k) Law 4/2023 of 28 February, for the real and effective equality of trans people and for the guarantee of the rights of LGTBI people.
- l) Royal Legislative Decree 2/2015, of 23 October, approving the consolidated text of the Workers' Statute Act.
- m) Royal Decree-Law 6/2019, of 1 March, on urgent measures to guarantee equality of treatment and opportunities between women and men in employment.
- n) Royal Decree 902/2020, of 13 October, on equal pay between women and men.

- o) Royal Decree 901/2020, of 13 October, regulating equality plans and their registration, and amending Royal Decree 713/2010, of 28 May, on the registration and deposit of collective bargaining agreements and collective agreements.
- p) State Pact against Gender-Based Violence (2017) and Measures (2019)
- q) Code of Conduct of the Society of Jesus.
- r) The Society of Jesus' Safe Environment System.
- s) IQS Collective Agreement.